

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN A. HIRSCH and RONALD W.  
ZOLLA, Individually and as officers,  
directors, and shareholders of ZHL, Inc., and  
ZHL, Inc.,

Plaintiffs,

v.

MICHAEL LAMENSDORF and KATHY  
LAMENSDORF, Individually and as  
shareholders of ZHL, Inc.,

Defendants.

CIVIL ACTION NO. 0510902-DPW

OPHNET, INC., a Massachusetts corporation,  
JOHN A. HIRSCH and RONALD W.  
ZOLLA, individually and as shareholders of  
ZHL, Inc., a Massachusetts corporation, and  
KENNETH CRAM,

Plaintiffs,

v.

MICHAEL LAMENSDORF, individually  
and as a shareholder of ZHL, Inc., MICHAEL  
LAMENSDORF, M.D., P.C., a Florida  
professional corporation; BAYOU  
JENN KAY, INC., a Florida corporation,  
KATHY LAMENSDORF, individually and  
as an officer of Bayou JennKay, Inc., and  
ZHL, INC., a Massachusetts corporation,

Defendants.

CIVIL ACTION NO. 05-10970-DPW

**CERTIFICATION UNDER LOCAL RULE 16.1(D)(3)**

Defendants, Dr. Michael Lamensdorf, Michael Lamensdorf, M.D., P.A., Bayou JennKay, Inc., and Kathy Lamensdorf , and their counsel, hereby certify, pursuant to Local Rule 16.1(D)(3), that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course — and various alternative courses — of this litigation; and
- (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: July 5, 2005

MICHAEL LAMENSDORF, MICHAEL  
LAMENSDORF, M.D., P.A., BAYOU  
JENN KAY, INC., and KATHY  
LAMENSDORF

By their attorneys,

*/s/ Ian J. McLoughlin*  
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**CERTIFICATION**

I, the undersigned authorized representative of the defendants, hereby certify that I have had discussions with my attorneys with a view towards establishing a budget for the costs of conducting various courses of this litigation. We also have discussed and considered the resolution of this litigation through the use of appropriate alternative dispute resolution program.

*/s/ Michael Lamensdorf*

*/s/ Kathy Lamensdorf*